THE HON'BLE SRI JUSTICE V.V.S.RAO

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WRIT PETITION No.16023 of 1999

17.10.2005

Between:

1. Smt.Afzal Sulthana, W/o.late M.A.Rasheed Khan,

Manyamchelka locality of Nalgonda village, Mandal & District

And another.

... Petitioners

AND

1. The Government of Andhra Pradesh, rep. By its Secretary,

Revenue Department, Hyderabad

And others

... Respondents

ORDER:

The second petitioner is the daughter of the first petitioner. They filed the writ petition seeking a direction to the respondents to acquire the land in Survey Nos.159, 169 and 636 admeasuring Acs.5.08 gts., Acs.2.00 and Acs.5.11 gts., respectively situated at Narsappagudem in Nalgonda District and pay compensation for the same. The petitioners claim that though the land belongs to them, in 1993 the same was classified as Government poramboke land. They filed applications before the concerned Assistant Director of Survey and Land Records, in vain. They further state that respondents 2 to 4 took possession of the land for distribution as house-sites to poor persons without initiating any proceedings under Land Acquisition Act, 1894.

A counter affidavit is filed by the fourth respondent herein stating that the land in Survey Nos.157, 159, 169 and 636 is Government land and therefore, no compensation need be paid. It is further stated that the petitioners are not in possession of the land and the petitioners' names are not recorded in the revenue accounts.

Though the counter affidavit is filed before this Court on 23.2.2000, the petitioners did not file any reply affidavit denying the counter averments. Therefore, the counter averments stand unrebutted. Accordingly, the writ petition is dismissed. No costs.

(**V.V.S.RAO,J**)

October 17, 2005.

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